

# 2023 Compliance Calendar for Retirement Plans



## January

### February

February 14

Provide 4th quarter benefit statements to participants (due 45 days after quarter-end).

## March

March 15

Distribute contribution refunds to correct a failed 2022 ADP/ACP test to avoid a 10% IRS excise tax (non-safe harbor plans only).

Fund 2022 employer contribution to take 2022 tax deduction (if partnership or S-Corp with no tax filing extension)

## April

April 1

Distribute contribution refunds to correct a failed 2022 ADP/ACP test to avoid a 10% IRS excise tax (non-safe harbor plans only).

April 15

Distribute 2022 elective deferrals in excess of IRC Section 402(g) limit (\$20,500 for 2022) to avoid double taxation.

April 17

Fund 2022 employer contribution to take 2022 tax deduction (if sole proprietor or C-Corp with no tax filing extension)

## May

May 15

Provide 1st quarter benefit statements to participants (due 45 days after quarter-end)

## June

### July

July 29

Distribute Summary of Material Modification (SMM) or new Summary Plan Description (SPD) to participants if SPD is modified during 2022.

July 31

File 2022 Form 5500 or 2 ½ month extension (Form 5558)

## August

August 14

Provide 2nd quarter benefit statements to participants (due 45 days after quarter-end)

## September

September 15

Fund 2022 employer contribution to take 2022 tax deduction (if partnership or S-Corp with tax filing extension)

September 30

Distribute 2022 Summary Annual Report (SAR) to participants (if Form 5500 not extended)

## October

October 15

File 2022 Form 5500 (if extension filed by 7/31)

October 16

Fund 2022 employer contribution to take 2022 tax deduction (if sole proprietor or C-Corp with tax filing extension)

## November

November 14

Provide 3rd quarter benefit statements to participants (due 45 days after quarter-end)

## December

December 2

Provide any applicable 2024 notices to plan participants. These include:

- Safe harbor 401(k) plan notice
- Qualified Default Investment Alternative (QDIA) notice
- Automatic (negative) enrollment notice
- Participant fee disclosure notice

December 15

Distribute 2022 Summary Annual Report (SAR) to participants (if Form 5500 extended)

December 31

Distribute contribution refunds to correct a failed 2022 ADP/ACP test with a 10% excise tax (non-safe harbor plans only).

Make any 2022 safe harbor or QNEC contributions

Execute (sign and date) any 2023 discretionary amendments

Distribute Required Minimum Distributions (RMDs) to participants that became RMD-eligible before 2022.

The deadlines in this calendar are for plans with calendar-year plan years. This chart is intended to provide plan sponsors with a list of notable deadlines and is not a substitute for consultation with ERISA counsel and in no way represents legal advice.